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OLC 72-0547

28 April 1972

MEMORANDUM FOR THE RECORD

SUBJECT: White House Meeting on Pending Legislation--26 April 1972

1. On 26 April 1972, I attended a meeting in the office of Clark MacGregor on the above subject. The meeting was chaired by John Lehman, NSC staff, and was attended by:

White House

Richard Cook
Tom Korologos
Wally Johnson
Bud MacFarland

State Department

David Abshire
Marshall Wright
Charles Brower
Jack Stevens

Defense Department

Rady Johnson

2. The following items of concern to the Agency were discussed:

a. Church amendment to the Foreign Relations Authorization Act (S. 3526). This amendment would prohibit any U.S. agency from engaging in propaganda activities abroad for or in behalf of or in cooperation with foreign governments and would require that any agency disseminating information abroad identify itself as such in the text of the material. I reported the results of my

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soundings in the Senate indicating that in any floor fight on this issue we would fail to get an exemption for the Agency. I said it appeared to us that the best bet was to try to get the House Foreign Affairs Committee to introduce a "clean bill" covering the same general subject but worded in such a way as not to apply to the Agency. I asked if any of those present had any other suggestions, and got no response. It was therefore concluded that Mr. Abshire and I would call on Chairman Morgan, of the House Foreign Affairs Committee, and explore the problem with him. Abshire undertook to call Dr. Morgan and make a date as soon as he is available.

I agreed to again try to raise with the staff of the Senate Armed Services Committee the possibility of getting Senator Stennis to intervene on this matter on the basis of his Committee's jurisdiction, but none of us felt this approach offered much promise. It was agreed, however, that we should be able to get support from Stennis on the Fulbright amendment calling for a 10% across-the-board cut in all overseas personnel except State, Peace Corps, and military combat personnel.

b. Case and Ervin bills on Executive Agreements. I reported that the Agency took the position that it was not affected by either of these bills since our intelligence liaison arrangements did not constitute "executive agreements" and any formal arrangements we had with foreign governments, such as arrangements for use of real estate [REDACTED] were negotiated by embassies and should be reported by State Department. This position was accepted by others present.

It was agreed that the Case bill could not be defeated in the Senate and might well pass the House. In any case it was noted that the Eisenhower Administration had supported a similar bill and it would be impossible for the President to veto it. Hence, the Administration position was that it should not openly oppose the bill, but should, after its passage, insist that it be narrowly interpreted.

It was agreed that the Ervin bill on the same subject contained certain provisions which would be more troublesome than the Case bill, so Administration strategy will be to go along with the Case bill and fight the Ervin bill.

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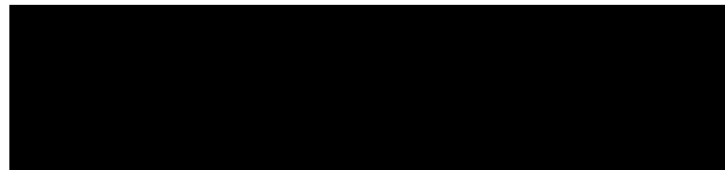
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c. [REDACTED] State Department is pushing for a bill authorizing funding of the Radios for one year and calling for establishment of a commission to review the whole problem of their future. This strategy is not expected to change Senator Fulbright's position, but to provide an opportunity for creating public interest and support for the continuation of the Radios. It was agreed that since the Presidential appointment of members of Congress to such a commission might create certain problems, the commission should nominally be appointed by the Secretary of State. It was further agreed that the most suitable Democratic members of such a commission should be Senators Percy and Humphrey from the Senate side and possibly people like Peter Frelinghuysen from the House side.

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Legislative Counsel

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